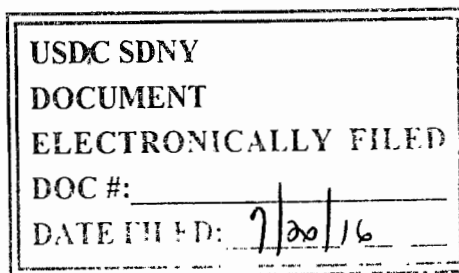


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



9197-5904 QUEBEC, INC.,

Plaintiff,

-against-

16 Civ. 695 (CM)(JCF)

NLG LLC,

Defendant.

ORDER "REMANDING" CASE

McMahon, CJ:

Herewith the history of this action:

On February 2012, the defendant confessed judgment in this action, brought by the plaintiff in the New York State Supreme Court, New York County.

On May 14, 2014, over two years later, defendant sought to vacate the confession of judgment.

On June 6, 2014, the Supreme Court denied the application for vacatur and marked the order "final disposition."

On June 17, 2014, plaintiff assigned its judgment to an entity known as Selective Advisors Group.

On September 4, 2015, Selective filed a satisfaction of judgment with the New York County Clerk.

On or about November 16, 2015, defendant – having paid the judgment – sought once again to have it vacated.

On December 21, 2015, the Supreme Court entered an order denying this application. No appeal was taken from this order.

On January 29, 2016, defendant filed a notice of removal to have the action transferred to this court.

Exhibits documenting the foregoing statements of fact will be found at Docket #1 and Docket #11 of the official docket of this action.

The Notice of Removal is a nullity. There was no live action to remove. The New York State Supreme Court entered judgment in this matter some years ago. That judgment has been satisfied. The case is over. A closed case cannot be removed.

According to defendant's counsel, who appeared at a conference before this court, defendant believes that the judgment was procured by fraud, and so made application to re-open the satisfied judgment. Its motion was denied. Instead of filing an appeal, defendant sent the case here. But this court does not sit as a Court of Appeals over the New York State Supreme Court.

The clerk of court is directed to return the file in this matter to the County Clerk, New York County and to close out the case on the court's docket.

Defendant's counsel has 14 days to show cause why he should not be personally sanctioned for wasting the court's time with this utterly frivolous matter.

Dated: July 20, 2016

A handwritten signature in black ink, appearing to be "C. J. H.", written over a horizontal line.

Chief Judge

BY ECF TO ALL COUNSEL